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NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No.306 of 2026**

Shambhu Vishwakarma S/o Suresh Vishwakarma Aged About 40
Years R/o Village Bhanora, Police Station Balrampur, District
Balrampur-Ramanujganj C.G. **... Applicant**

versus

State Of Chhattisgarh Through Station House Officer, Police
Station Balrampur, District Balrampur-Ramanujganj C.G.

... Non-applicant

For Applicant :Mr. Sangeet Kumar Kushwaha, Advocate.
For Non-applicant/State :Ms. Anusha Naik, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order on Board****20.02.2026**

1. The Applicant has preferred this 1st Bail Application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail, as he has been arrested in connection with Crime No.137/2025 registered at Police



Station Balrampur, District Balrampur-Ramanunjanj (C.G.),
for the offence under Sections 105, 271, 125 and 318 of the
BNS, under Sections 18(c) and 27(b)(ii) of Drug and
Cosmetics Act, 1940 and also under Sections 41 & 42 of the
Clinical Establishment Registration and Regulation Act, 2010.

2. As per the prosecution story, on the night of 24.09.2025 at about 8:30 PM, Sushila Ekka took her son Anmol, who had suffered a knee injury, to the clinic/medical shop of Dr. Shambhu Vishwakarma for treatment. It is alleged that her son was administered a high-dose injection of Texim 500 mg. Immediately after the injection was given, Anmol fell unconscious. Thereafter, Dr. Shambhu Vishwakarma took them to the District Hospital, from where he was immediately referred to Ambikapur and shifted in a government ambulance; however, he did not regain consciousness and subsequently died. Consequently, a case has been registered against the Applicant as mentioned above. Hence, this application.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case and has not committed any offence as alleged by the prosecution. It is submitted that the Applicant is a registered medical practitioner and a registered pharmacist under the



C.G. State Pharmacy Council, Raipur. It is further submitted that the Applicant has been running a medical store in District Balrampur for many years and has been treating people without any prior complaint against him. He dispenses medicines strictly as per prescriptions given by doctors and in the present case also, the medicine was administered to the child as per prescription, without any intention to cause harm. It is lastly submitted that the Applicant has no criminal antecedents, he is in jail since 15.11.2025 and the trial will take considerable time to conclude; therefore, considering his period of detention, he may be enlarged on regular bail.

4. Per contra, learned State Counsel opposes the bail application and submits that the present Applicant has no criminal antecedents and charge sheet has been filed.
5. Considering the nature of allegations and the material available in the case diary, this Court finds that the investigation has been completed and the charge-sheet has already been filed, therefore further custodial detention of the Applicant is not necessary. The Applicant is in judicial custody since 15.11.2025 and has remained in detention for a considerable period. In view of the period of detention, filing of the charge-sheet and absence of any criminal antecedents, without further commenting anything on the merits of the



case, this Court is of the opinion that it is a fit case to allow the application for bail. Accordingly, the bail application is **allowed**.

6. Let Applicant- **Shambhu Vishwakarma** involved in Crime No.137/2025 registered at Police Station Balrampur, District Balrampur-Ramanunjanj (C.G.), for the offence under Sections 105, 271, 125 and 318 of the BNS, under Sections 18(c) and 27(b)(ii) of Drug and Cosmetics Act, 1940 and also under Sections 41 & 42 of the Clinical Establishment Registration and Regulation Act, 2010 be released on bail on his furnishing **a personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to



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appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

7. Office is directed to send a certified copy of this order to the trial Court concerned for necessary information and compliance forthwith.

Sd/-
(Ramesh Sinha)
Chief Justice

Priya